HIGH COURT OF UTTARANCHAL AT NAINITAL

Second Appeal No. 1642 of 2001 (MS)
(Old No. 737 of 1985)

Kundan ..... Petitioner

Versus

Simmer & Others ..... Respondents

Dated: 10.8.2004

Hon. Rajesh Tandon J.

File has been transferred from Allahabad High Court, None appears for the parties.

I have perused the pleadings of the parties.

Present appeal has been filed against the judgment and decree dated 31.1.1985 passed by the Civil Judge, Roorkee. The appellate court has recorded a finding that the plaintiff has failed to prove the ownership of the land in suit and has allowed the appeal. The appellate court has also recorded the finding that the defendant was not a licensee.

In view of the above, I find no substantial question of law involved in the second appeal. The appeal is therefore, dismissed. No order as to costs.

(Rajesh Tandon J.)

10.8.2004
*Dhyani